



WILLIAM S. HATFIELD  
Director

Gibbons P.C.  
One Gateway Center  
Newark, New Jersey 07102-5310  
Direct: (973) 596-4511 Fax: (973) 639-8320  
whatfield@gibbonslaw.com

May 13, 2014

**VIA ECF FILING**

The Honorable Robert M. Levy, U.S.M.J.  
United States District Court  
Eastern District of New York  
United States Courthouse, Room 928S  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: DMJ Associates, L.L.C. v. Carl A. Capasso, et al.**  
**Civil Action No. 97-Civ-7285 (DLI) (RML)**

Dear Magistrate Levy:

As Your Honor is aware, this office filed a motion on behalf of a number of private Third-Party Defendants<sup>1</sup> (“TPDs”) seeking summary judgment on Defendant/Third-Party Plaintiff Quanta Resources Corporation’s (“Quanta’s”) CERCLA Section 113(f) contribution claim based on Quanta’s reckless conduct. (ECF No. 1475.) Pursuant to Your Honor’s May 13, 2014 docket order, oral argument on the TPDs’ motion remains scheduled for Friday, May 16, 2014. Although today’s docket order is not specific as to the time of the hearing, the Court previously scheduled argument for 3:30 p.m.

This letter is written to confirm last week’s conversation with Your Honor’s Chambers that oral argument on the CERCLA Section 113(f) claim is to be moved up one hour earlier to 2:30 p.m. on Friday, May 16, 2014. The parties to the motion have consented to this request and wish to once again thank Your Honor for this accommodation.

Respectfully submitted,

/s/ William S. Hatfield

William S. Hatfield  
Director

cc: All Counsel of Record (via ECF)

---

<sup>1</sup> Namely, Crown Cork & Seal Company, Inc., Novelis Corporation (f/k/a ALCAN Aluminum Corporation), Rexam Beverage Can Company, River Terminal Development, and Wyman-Gordon Company.